

**THE HONORABLE MARY JO HESTON  
CHAPTER 13**

**HEARING DATE: July 16, 2019**

**HEARING TIME: 1:00 P.M.**

**LOCATION: Tacoma, Washington**

**RESPONSE DATE: July 9, 2019**

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

MICHELLE LEE WILLMS and  
ANDREW LEROY WILLMS,

Debtors.

Case No.: 19-41648-MJH

TRUSTEE'S OBJECTION TO CONFIRMATION  
WITH STRICT COMPLIANCE

**COMES NOW**, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to  
confirmation as follows:

**BACKGROUND**

Debtors filed this Chapter 13 case on May 20, 2019. The applicable commitment period is sixty months. The case is currently in the first month and the Meeting of Creditors has been completed. The bar date for filing non-governmental claims is July 29, 2019. Scheduled unsecured claims total \$25,638.00. The plan as filed proposes 100% repayment to general unsecured filed and allowed claims.

**OBJECTION**

☐ Plan is not feasible:

☒ Plan is not proposed in good faith or is forbidden by law: Debtors have exempted business supplies under RCW 6.15.010(1)(e)(ii), which applies to physicians, surgeons, clergy, and attorneys. Debtors do not fall into any of the above categories, so the exemption should be disallowed or the debtors should amend to another appropriate exemption.

☐ Plan fails to commit all excess disposable income for the applicable commitment period as required by 11 U.S.C. § 1325(b)(1)(B):

☒ Plan does not meet the best interests of creditors test as required by 11 U.S.C. § 1325(a)(4): Trustee reserves the right to object to the liquidation value of the estate pending additional information.

☒ Schedules or other documentation insufficient:

(1) Debtor must complete and return a copy of the trustee's business questionnaire for his interest in Hurricane Butterfly LE. Furthermore, his interest in this business must be fully disclosed in the schedules.

(2) Debtors must provide a complete list of all firearms and shooting supplies.

(3) Debtors must amend their schedules to list all bank accounts.

(4) Debtor must provide a balance sheet for his interest in Hurricane Butterfly LE that covers the date of filing.

(5) Debtor must provide a K-1 for his interest in Hurricane Butterfly LE.

☐ Other:

**WHEREFORE**, Trustee requests that the objection to confirmation be sustained and debtors be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

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Matthew J.P. Johnson, WSBA# 40476 for  
Michael G. Malaier, Chapter 13 Trustee

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